

Docket No.: NY-LUD 5253-US5-DIV  
(PATENT)

Response To Advisory Action	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.	
Dated: October 1, 2009	Signature: <u>Fani Malikouzakis</u> (Fani Malikouzakis)

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Thierry Boon-Falleur et al.

Application No.: 08/819,669

Filed: March 17, 1997

For: TUMOR REJECTION, ANTIGEN  
PRECURSORS, TUMOR REJECTION  
ANTIGEN S AND USES THEREOF

Confirmation No.: 1995

Art Unit: 1644

Examiner: P. Gambel

**RESPONSE TO ADVISORY ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Advisory Action of September 18, 2009, and the final rejection of July 7, 2009, applicants submit the attached Terminal Disclaimer. The disclaimer does not include common ownership language, which appears to be the sole reason for its prior disapproval, hence it is believed proper.

A second copy of Applicants' declaration regarding a joint research collaboration is also attached.

With regards to the "ODP" over Patent No. 7,495,074, Applicants question was misunderstood.

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The Examiner indicates that upon appeal, claims 192-195, will be allowed. In the final rejection, he indicated they were allowable; however, as noted by the marked up copy of the Advisory Action, the Examiner appears to have raised an issue with respect to these claims.

To Applicants, this appears inconsistent and they are requesting clarification.

If there is no issue, and it appears there is not, allowance of claims 183-195 is believed proper and is urged.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0624, under Order No. NY-LUD 5253-US5-DIV (09885911) from which the undersigned is authorized to draw.

Dated: October 1, 2009.

Respectfully submitted,

By 

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